

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

AL BEAMER, et al.	)	CASE NO. C-1-02-013
	)	
Plaintiffs,	)	JUDGE SPIEGEL
	)	
-vs-	)	
	)	
NETCO, INC., et al.	)	<b><u>JOINT MOTION FOR EXTENSION OF</u></b>
	)	<b><u>THE DISPOSITIVE MOTION DEADLINE</u></b>
	)	<b><u>(CURRENTLY DECEMBER 1, 2003)</u></b>
Defendants.	)	
	)	

Now comes parties, by and through counsel, and hereby moves this Court for an extension of the Court's current deadlines by thirty (30) days. The current deadlines are as follows:

- Discovery shall be completed on November 1, 2003;
- Dispositive Motions are due December 1, 2003
- A Final Pretrial is scheduled for February 26, 2004
- Trial on April 6, 2004

The parties are still engaged in discovery and have completed the depositions scheduled for October 27<sup>th</sup> and October 28<sup>th</sup> in St. Louis. The parties had hoped to complete non-party

witnesses depositions in Tampa Bay, Florida on October 29, 2003. However, these witnesses have agreed to voluntarily appear for deposition and their schedules dictate that the depositions be completed on November 20, 2003. These depositions are being taken at the request of the plaintiff. Defendants have no objection to completing these depositions on November 20, 2003 provided that the dispositive motion deadline be continued thirty (30) days until January 5, 2004. To facilitate this request, plaintiff is willing to provide responses to any dispositive motions by January 19, 2004.

In the event that this extension prejudices the Court's review of any dispositive motions prior to the February 26, 2004 Final Pretrial, the parties will jointly consent to an extension of the Final Pretrial and/or Trial date.

Respectfully submitted,

/s/Richard C. Haber

RICHARD C. HABER (0046788)  
JONATHAN HYMAN (0068812)  
Reminger & Reminger Co., L.P.A.  
1400 Midland Building  
101 Prospect Avenue, West  
Cleveland, Ohio 44115  
Ph: (216) 687-1311  
Fax: (216) 687-1841  
[rhaber@reminger.com](mailto:rhaber@reminger.com)  
[jhyman@reminger.com](mailto:jhyman@reminger.com)

*Attorneys for Plaintiffs*

/per consent

GREGORY A. SHOEMAKER, ESQ.  
McMahon, Berger, Hanna, Linihan,  
Cody & McCarthy  
2730 North Ballas Road, Suite 200  
St. Louis, Missouri 63131  
Ph: (314) 567-7350  
Fax: (314) 567-5968  
[shoemaker@mcmahonberger.com](mailto:shoemaker@mcmahonberger.com)

*Attorneys for Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2003 a copy of the foregoing Joint Motion For Extension of Dispositive Motion Deadline was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Richard C. Haber

RICHARD C. HABER (0046788)

JONATHAN HYMAN (0068812)

Reminger & Reminger Co., L.P.A.

1400 Midland Building

101 Prospect Avenue, West

Cleveland, Ohio 44115

Ph: (216) 687-1311

Fax: (216) 687-1841

[rhaber@reminger.com](mailto:rhaber@reminger.com)

[jhyman@reminger.com](mailto:jhyman@reminger.com)

*Attorneys for Plaintiffs*